

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 3, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-16915 - APPLICANT/OWNER: GHASSAN MISHFERI

THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 6, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-16914) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing offsite improvements damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. Grant a perpetual, irrevocable vehicular and pedestrian access easement in favor of Assessor's Parcel Number 138-13-801-053 on the Final Map for this site; alternatively provide a copy of a recorded Access Easement/Agreement between this site and Assessor's Parcel Number 138-13-801-053 prior to the recordation of a map for this site.
5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Rezoning from R-E (Residence Estates) to R-PD6 (Residential Planned Development – 6 Units Per Acre) on 1.08 acres located adjacent to the north side of Smoke Ranch Road, approximately 470 feet east of Michael Way. Approval would permit the development of a six-lot, single family subdivision.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/07/03	The City Council approved an Annexation (ANX-1752) for the subject property. The Planning Commission recommended approval. The effective date was 06/13/03.
08/20/03	The City Council approved the General Plan Amendment GPA-2572, Rezoning ZON-2574, and Site Plan Review SDR-2577. The Planning Commission and staff recommended approval.
03/26/04	The Planning Commission approved a seven-lot Tentative Map TMP-3876 at 5250 Smoke Ranch Road.
08/04/04	The Planning and Development staff administratively approved the Final Map FMP-3876. The Final Map was not recorded.
05/10/05	Code Enforcement Case #29821: Vacant Building. Case resolved on 8/17/05.
11/02/06	The Planning Commission recommended approval of companion items VAR-16996 and SDR-16914 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #2/mh).
<i>Related Building Permits/Business Licenses</i>	
NA	NA
<i>Pre-Application Meeting</i>	
08/07/06	The applicant's representative met with staff to discuss reactivating a previously-expired entitlement for a six-lot Residential, Planned Development.
<i>Neighborhood Meeting</i>	
N/A	N/A

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.08
Net Acres	1.04

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	ML (Medium Low Residential)	R-E (Residence Estates)
North	Single Family Dwelling	R (Rural Density Residential)	Unincorporated Clark County (Rural Estates)
South	Single Family Dwelling and church	R (Rural Density Residential)	R-E (Residence Estates)
East	Single Family Dwelling	R (Rural Density Residential)	Unincorporated Clark County (Rural Estates)
West	Single Family Dwelling	MLA (Medium Low Density Attached)	R-PD6 (Residential Planned Development – 6 Units Per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
R-PD Residential Planned Development District	X		N
A-O Airport Overlay District	X		Y
Trails		X	
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

DEVELOPMENT STANDARDS

Pursuant to Title 19.06 the following standards apply:

<i>Standard</i>	<i>Proposed</i>	<i>Acceptable</i>
Min. Lot Size	3,510	Y
Min. Lot Width	52 Feet	Y
Min. Setbacks <ul style="list-style-type: none"> • Front (Garage) • Front (House) • Side • Rear 	20 Feet 15 Feet 5 Feet 10 Feet	Y
Max. Lot Coverage	NA	NA
Max. Building Height	2 stories/ 35 Feet	Y

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
RE	2du/ac	(2)	R-PD6	6.49du/ac max. 7d/u for subject site	ML	8.49du/ac max. 9.1d/u for subject site

Pursuant to Title 19.12 the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer:				
• Min. 24-inch box Trees	1 Tree/ 30 Linear Feet	3 Trees	8 Trees	
• Min. 5-gallon shrubs	4 shrubs / 24-inch box tree	12 Shrubs	33 Shrubs	
Min. Zone Width	6 Feet		6-feet wide	Y
Wall Height	8 Feet Max		6-feet high	Y

Pursuant to Title 19.06 the following standards apply:

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
1.08	5.55	1.65	0	0	0	0	Y*

*Pursuant to Title 19.06 projects with less than 12 lots have no open space requirement.

ANALYSIS

The applicant is proposing a six-unit subdivision on 1.08 acres. Per Title 19.06.040, R-PD developments require a minimum site size of five acres which the applicant is seeking to remedy with a request for a Variance (VAR-16996). The proposed density of 5.55 units per acre is compatible with the existing ML (Medium Low Density) general plan category that allows for 8.49 units per acre. Lots range in size from 3,884 square feet to 4,043 square feet.

Notably, an application of identical size and similar characteristics had been previously approved at this location by City Council on 8/20/03 (ZON-2574). The planned subdivision will provide an adequate buffer in housing density between the existing 6-unit per acre condominium complex and the lower density, Unincorporated Clark County-Rural Estates housing.

A cul-de-sac off of Smoke Ranch Road will provide access to the development. A common lot, as depicted on the submitted site plan, is shown on the northernmost portion of the site. A six-foot wide landscape buffer is depicted adjacent to the Smoke Ranch right-of-way.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **“The proposal conforms to the General Plan.”**
2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**
3. **“Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**
4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

In regard to “1”:

The proposal is in conformance with the existing ML (Medium-Low) designation as the 5.55 units/acre is below the 8.49 units/acre allowed.

In regard to “2”:

The parcel is directly adjacent to the R-PD6 (Residential Planned Development-6 unit per acre) condominium project to the west. The properties to the north, east and south are R-E (Residence Estates) zoned properties and developed as minimum half-acre lots. However, both the small scale of the proposal and the low housing density make the project compatible with the area.

In regard to “3”:

The proximity of the condominium project and intersection of Smoke Ranch Road and Michael Way make this request a reasonable use of land and density for this area of the City.

In regard to “4”:

The proposed subdivision has direct access to Smoke Ranch Road, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. The design of the project will have little impact on neighborhood traffic as the roadway is adequate to handle the proposed six-lot subdivision.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 304 by Planning Department

APPROVALS 0

PROTESTS 0